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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 7443**
Kazunari USHIDA et al. : Attorney Docket No. 2006_0286A
Serial No. 10/570,133 : Group Art Unit 1618
Filed March 1, 2006 : Examiner James W. Rogers

BETA-HYDROXY SHORT TO MEDIUM
CHAIN FATTY ACID POLYMER

Mail Stop: Amendment

RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

Sir:

In response to the Official Action dated May 12, 2009 in which restriction has been required, Applicants hereby elect the invention identified as Group I (claims 38-51).

Election of species has been required if Group I is elected. Accordingly, Applicants hereby elect the species that the polyhydroxy fatty acid is produced by a microorganism.

Claims readable on the elected species are claims 38-47, 50 and 51.

The above elections are made without traverse.

Favorable action on the merits is now requested.

The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.

Respectfully submitted,
Kazunari USHIDA et al.

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